American Basin Fish Screen and Habitat Improvement Project
Sutter and Sacramento Counties, California

Final
Environmental Impact Statement / Environmental Impact Report

June 10, 2008

Federal Lead Agency

U.S. Department of the Interior
Bureau of Reclamation, Mid-Pacific Region
Division of Resource Management
2800 Cottage Way
Sacramento, CA 95825

State Lead Agency

California Department of Fish and Game
North Central Region
1701 Nimbus Road
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Environmental Impact Statement/Environmental Impact Report
for the
American Basin Fish Screen and Habitat Improvement Project

(State Clearinghouse [SCH] No: 2003092006)

NEPA Lead Agency: United States Department of the Interior, Bureau of Reclamation
CEQA Lead Agency: California Department of Fish and Game
Project Proponent: Natomas Central Mutual Water Company
CEQA Responsible Agencies: Central Valley Flood Protection Board, State Water Resources Control Board, Central Valley Water Quality Control Board

The United States Department of the Interior, Bureau of Reclamation (Reclamation), California Department of Fish and Game (CDFG), and Natomas Central Mutual Water Company (Natomas Mutual) have jointly prepared this Final Environmental Impact Statement/ Environmental Impact Report (EIS/EIR) for the American Basin Fish Screen and Habitat Improvement Project (ABFS Proposed Action). The ABFS Proposed Action represents an effort on the part of these three agencies to avoid or minimize potentially adverse effects to fish, particularly juvenile anadromous fish, due to Natomas Mutual's diversions, and where possible, other small diversions by individual landowners in the Natomas Basin. Other purposes of the ABFS Proposed Action are to ensure the reliability of Natomas Mutual's water diversion and distribution facilities for the beneficial use of its water supply within its service area, and to maintain important wildlife habitat within the Natomas Basin created by the operation of Natomas Mutual's water distribution facilities.

The Draft EIS/EIR analyzed the potential impacts of implementing the ABFS Proposed Action and three alternatives on various resources, including: terrestrial and aquatic biological resources; hydrology and water quality; cultural resources; aesthetics; agricultural resources; air quality; geology and soils; hazards and hazardous materials; land use, land use planning, and recreation; noise; transportation and circulation; energy and depletable resources; Indian Trust Assets; and environmental justice.

Alternatives evaluated in the Draft EIS/EIR include the No Action Alternative, the ABFS Proposed Action, the Sankey Diversion Alternative, and the Prichard Diversion Alternative. The Draft EIS/EIR also analyzed cumulative impacts by addressing the potential effects of implementing the ABFS Proposed Action in conjunction with other past, present, and reasonably foreseeable future actions.

For CEQA purposes, CDFG will consider certifying this document as an EIR on June 17, 2008. If CDFG certifies this document as an EIR, then this document will constitute the final certified EIR under CEQA. For NEPA purposes, Reclamation's final decision, which will be documented in a Record of Decision (ROD), cannot be made until at least 30 days after the Notice of Availability (NOA) of the Final EIS/EIR is published in the Federal Register. The ROD will state the decision and will identify and discuss the relevant factors considered in the decision.

For further information, contact:

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CHAPTER 1. INTRODUCTION

This Final Environmental Impact Statement/Environmental Impact Report (EIS/EIR) has been prepared to respond to comments received on the Draft EIS/EIR for the American Basin Fish Screen and Habitat Improvement Project (ABFS Proposed Action).

The purpose and primary objectives of the ABFS Proposed Action are:

- To avoid or minimize potentially adverse effects to fish, particularly anadromous juvenile fish, due to water diversions by Natomas Mutual and where possible, other small diversions by individual landowners in the Natomas Basin.

- To ensure the reliability of Natomas Mutual's water diversion and distribution facilities for beneficial uses of its water supply within the Natomas Mutual service area.

- To maintain important wildlife habitat within the Natomas Basin created by the operation of Natomas Mutual's water distribution facilities.

The California Department of Fish and Game (CDFG) is the lead agency under CEQA and the United States Department of the Interior, Bureau of Reclamation (Reclamation) is the lead agency under NEPA. This Final EIS/EIR has been prepared on behalf of CDFG and Reclamation in accordance with the requirements of the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA).

The Draft EIS/EIR for the ABFS Proposed Action was distributed for public review and comment on March 3, 2008. The Draft EIS/EIR evaluated the potential environmental impacts of the No Action Alternative, the ABFS Proposed Action, the Sankey Diversion Alternative, and the Prichard Diversion Alternative.

To provide the public with opportunities to submit verbal and written comments on the Draft EIS/EIR, a public hearing was held at the Reclamation District No. 1000 (RD 1000) office, located at 1633 Garden Highway, on March 19, 2008. No verbal or written comments were received at this meeting. The public comment period on the Draft EIS/EIR closed on April 16, 2008 for the purposes of CEQA, and May 2, 2008 for the purposes of NEPA. Written comments were received from one federal and three state agencies (see Chapter 4).

CEQA and NEPA require the lead agencies to respond to comments on the Draft EIS/EIR that are received during the public comment period (CEQA Guidelines Section 15088 and President's Council on Environmental Quality (CEQ) Regulations for Implementing NEPA Section 1503.4). This document has been prepared pursuant to these requirements. CDFG and Reclamation have considered all of the comments received on the Draft EIS/EIR, and determined that no changes to the Draft EIS/EIR were needed, and that the substantive conclusions presented in the Draft EIS/EIR remain valid. Therefore, the Draft EIS/EIR, as originally published, is incorporated by reference into this Final EIS/EIR.

This volume represents the Final EIS/EIR in its entirety. Following this chapter, Chapter 2 summarizes the public outreach process undertaken for the ABFS EIS/EIR. Chapter 3 describes any changes to the Draft EIS/EIR that have occurred since publication of the Draft EIS/EIR.

Chapter 4 contains copies of all of the comment letters received on the Draft EIS/EIR, and the responses of CDFG, Reclamation, and Natomas Mutual to those comments. Finally, Chapter 5 lists the preparers of this Final EIS/EIR.

1.1 BACKGROUND AND PURPOSE OF THE FINAL EIS/EIR

CEQA and NEPA require a lead agency that has completed a Draft EIR or EIS to consult with, and obtain, comments from public agencies that have legal jurisdiction with respect to the proposed action, and to provide the general public with opportunities to comment on the Draft EIR or EIS. This Final EIS/EIR has been prepared to respond to comments received on the Draft EIS/EIR.

1.2 CEQA AND NEPA REQUIREMENTS FOR RESPONDING TO COMMENTS

CEQA requires that the lead agencies evaluate comments on environmental issues received from persons who reviewed the Draft EIR and to prepare written responses. The written responses must describe the disposition of significant environmental issues raised (e.g., revisions to the proposed project to mitigate anticipated impacts or objections). Additionally, if the lead agency's position varies from the recommendations and objections raised in the comments, then these major environmental issues must be addressed in detail giving reasons why specific comments and suggestions were not accepted (California Code of Regulations, Title 14, Section 15088).

NEPA requires that the Final EIS include and respond to all substantive comments received on the Draft EIS (40 CFR 1503.4). Lead agency responses may include the need to:

- Modify the Proposed Action or alternatives;
- Develop and evaluate new alternatives;
- Supplement, improve, or modify the substantive environmental analyses;
- Make factual corrections to the text, tables, or figures contained in the Draft EIS; or
- Explain why no further response is necessary.

Additionally, the Final EIS must discuss any responsible opposing view that was not adequately discussed in the Draft EIS and must indicate the lead agency's response to the issues raised.

1.3 REQUIREMENTS FOR COMPLETION AND CERTIFICATION OF THE FINAL EIS/EIR

The Final EIS/EIR is an informational document that must be used by CDFG and Reclamation when considering a decision on the ABFS Proposed Action or an alternative. Following completion of the Final EIS/EIR, CDFG will consider certification of the Final EIS/EIR and will decide whether or not to approve the Proposed Action or an alternative. Reclamation will

prepare a ROD. The ROD will state the decision and will identify and discuss the relevant factors considered in the decision.

For CEQA purposes, CDFG must certify that:

- The Final EIR has been completed in compliance with CEQA;
- The Final EIR was presented to the decision making body of the lead agency, and the decision making body reviewed and considered the information contained in the Final EIR before approving or denying the project; and
- The Final EIR reflects the lead agency's independent judgment and analysis.

If CDFG approves the ABFS Proposed Action or an alternative, it will prepare and adopt written findings of fact for each significant environmental impact identified in the Final EIS/EIR, which will be accompanied by an explanation of the rationale for each finding pursuant to California Code of Regulations, Title 14, Section 15091. Any significant impacts identified in the Final EIS/EIR that cannot be avoided or substantially lessened will be addressed in a Statement of Overriding Considerations, if needed. For those impacts found to be less than significant with mitigation, CDFG will adopt a Mitigation Monitoring and Reporting Plan/Environmental Commitments Plan (MMRP/ECP) to ensure that the mitigation measures and monitoring activities identified to reduce or avoid potential impacts will be implemented. If CDFG approves funding for the project, then a Notice of Determination (NOD) will be filed with the Office of Planning and Research and with the county clerks in the counties in which the project will be located.

Reclamation's NEPA process would involve circulation of the Final EIS for 30 days prior to taking action and issuing a ROD. The ROD would describe the decision, the alternatives considered, the environmental preferable alternative, relevant factors considered in the decision, and mitigation and monitoring requirements. Reclamation is not expected to make a final decision or sign the ROD until it has received and reviewed the biological opinions from the National Marine Fisheries Service (NMFS) and United States Fish and Wildlife Service (USFWS). Reclamation initiated formal consultation on the ABFS Proposed Action with NMFS on February 27, 2008 and USFWS on February 29, 2008.

Based on the information available, the ABFS Proposed Action is identified as the environmentally superior alternative for CEQA purposes. Subject to the preceding paragraph, the ABFS Proposed Action also is identified as the environmentally preferred alternative for NEPA purposes.

CHAPTER 2. PUBLIC OUTREACH PROCESS

This chapter describes the scoping and public outreach process that was followed for the American Basin Fish Screen and Habitat Improvement Project EIS/EIR. The public outreach efforts were conducted in accordance with both CEQA and NEPA to determine the focus and content of this EIS/EIR, and to solicit and consider the views of federal, state, and local agencies, and the general public regarding the scope and content of the environmental analyses contained in the Draft EIS/EIR.

2.1 PUBLIC OUTREACH EFFORTS

Numerous outreach efforts were undertaken to inform stakeholders about the ABFS Proposed Action and to solicit their input. These efforts are described here.

2.1.1 NOTICE OF PREPARATION/NOTICE OF INTENT

CDFG filed a Notice of Preparation (NOP) to prepare a joint EIS/EIR for the ABFS Proposed Action with the Office of Planning and Research on September 2, 2003 (SCH #2003092006). Reclamation published a Notice of Intent (NOI) to prepare a joint EIS/EIR for the ABFS Proposed Action in the Federal Register on October 22, 2003. Both the NOP and the NOI were circulated to the public, local, state, and federal agencies, and other interested parties to solicit comments on the ABFS Proposed Action.

2.2 SCOPING PROCESS

NEPA requires a formal scoping process for the preparation of an EIS (40 CFR 1501.7). Scoping is a less formalized process under CEQA, but is encouraged as part of early public consultation for a project. Scoping is used under both CEQA and NEPA to determine the focus and content of an EIR or EIS. The main objective of the scoping process is to provide the public and potentially affected resource agencies with information on the proposed project and to solicit public input regarding the issues and concerns that should be evaluated in the environmental documentation. The scoping process is generally intended to provide the lead agencies with information regarding the range of actions, alternatives, resource issues, and mitigation measures that are to be analyzed in depth in the EIS/EIR and to eliminate from detailed study those issues found not to be significant.

2.2.1 SCOPING MEETINGS

The scoping process for the ABFS Proposed Action was conducted to elicit comments from public agencies, other interested organizations and the public on the scope of the potential environmental effects and issues to be addressed in the Draft EIS/EIR. Three public scoping meetings were held for the ABFS Proposed Action, including two scoping meetings on September 15, 2003, at 1:30 p.m. and 7:00 p.m. and one scoping meeting on November 20, 2003 at 6:30 p.m. Comments provided by agencies, members of the public, and interested organizations during the scoping meetings are included in Chapter 5 of the Draft EIS/EIR. Substantive NEPA and CEQA-related issues raised during this public and agency scoping

process were used in the design of proposed facilities, alternatives evaluated, studies conducted, and mitigation measures proposed.

2.3 DRAFT EIS/EIR AVAILABILITY

Pursuant to CEQA, the Draft EIS/EIR was made available for a 45-day public review and comment period from March 3, 2008 to April 16, 2008. Pursuant to NEPA, the Draft EIS/EIR was made available for a 60-day public review period from March 3, 2008 to May 2, 2008.

A notice of availability of the Draft EIS/EIR was published in the Federal Register and filed with the California State Clearinghouse. The purpose of the notice was to inform interested parties of the availability of the Draft EIS/EIR for public review and comment. Reclamation also issued a press release on its website to notify persons about the public hearing and sent written notice to all agencies and individuals on the ABFS Proposed Action mailing list.

In addition, copies of the Draft EIS/EIR were made available for public review at the following locations:

- Bureau of Reclamation, Denver Office Library, Building 67, Room 167, Denver Federal Center, 6th and Kipling, Denver, CO 80225; telephone: 303–445–2072.
- Bureau of Reclamation, Office of Public Affairs, 2800 Cottage Way, Sacramento, CA 95825–1898; telephone: 916–978–5100.
- Natural Resources Library, U.S. Department of the Interior, 1849 C Street, NW., Main Interior Building, Washington, DC 20240–0001.
- California Department of Fish and Game, 1701 Nimbus Road, Rancho Cordova, CA 95670.
- Natomas Mutual Water Company, 2601 West Elkhorn Boulevard, Rio Linda, CA 95673; telephone: 916–419–5936.
- Sacramento Public Library, North Natomas Branch, 2500 New Market Drive, Sacramento, CA 95835
- California State University Sacramento, University Library, 2000 State University Drive East, Sacramento, CA 95819
- Sutter County Library, Pleasant Grove Branch, 3093 Howsley Road, Pleasant Grove, CA 95668
- University of California Davis, Main Library, 100 NW Quad, Davis, CA 95616

In addition, an electronic copy was made available on the Reclamation web site at: http://www.usbr.gov/mp/nepa/nepa_projdetails.cfm?Project_ID=783.

2.4 PUBLIC HEARING ON THE DRAFT EIS/EIR

As part of the CEQA/NEPA process, a Public Hearing was held, which allowed individuals an opportunity to provide verbal or written comments on the Draft EIS/EIR. The Public Hearing took place on March 19, 2008 from 6:00 PM to 8:00 PM at the RD 1000 office, 1633 Garden Highway, Sacramento.

No verbal or written comments were received by attendees at the Public Hearing. A complete Transcript of the Public Hearing is included in Appendix A.

2.5 OUTREACH EFFORTS ASSOCIATED WITH THE COMPLETION AND CERTIFICATION OF THE FINAL EIS/EIR

CEQA (California Code of Regulations, Title 14, Section 15088 (b)) requires that, "…The lead agency shall provide a written proposed response to a public agency on comments made by that public agency at least 10 days prior to certifying an environmental impact report."

The public agencies that provided comments on the Draft EIS/EIR are:

- United States Environmental Protection Agency
- California Department of Water Resources
- California Department of Transportation
- State Lands Commission

CDFG, Reclamation, and Natomas Mutual will provide copies of this Final EIS/EIR to these agencies.

CHAPTER 3. CHANGES TO THE DRAFT EIS/EIR

No changes have been made to any of the alternatives presented in the Draft EIS/EIR, including the ABFS Proposed Action, since the publication of the Draft EIS/EIR. Further, none of the comments received on the Draft EIS/EIR required any changes to the project description, analysis of impacts, impact conclusions, or mitigation measures. Therefore, the Draft EIS/EIR, as originally published, stands as the analysis of impacts for the ABFS Proposed Action, and is incorporated by reference into this Final EIS/EIR.

One comment was received that requested additional information. This information has been provided in the response to that comment, in Chapter 4.

CHAPTER 4. COMMENTS AND RESPONSES

This chapter contains the comment letters received on the Draft EIS/EIR, followed by individual responses from CDFG, Reclamation, and Natomas Mutual to those comments. The comment letters are grouped into the following categories: Federal Agencies (FA) and State Agencies (SA). The four agencies that provided written comments on the ABFS Draft EIS/EIR are listed in **Table 4-1**.

Table 4-1. List of Commenters

Commenter	Commenting Agency/Organization	Letter ID	Page Number
Federal Agencies			
Nova Blazej	U.S. Environmental Protection Agency	EPA	9 - 12
State Agencies			
Dawn Cheser	California Department of Transportation	DOT	16 - 34
Gail Newton	California State Lands Commission	SLC	36 - 37
Christopher Huitt	California Department of Water Resources	DWR	39 - 42

Scanned copies of each of the four comment letter received during the public review and comment period on the Draft EIS/EIR are presented below. Each comment on each letter is coded using the Letter IDs listed in Table 4-1 and a sequential number. For example, the first comment in the letter from the U.S. Environmental Protection Agency (EPA) is labeled as EPA-1. Responses to each designated comment are provided following each letter. The responses are numbered to correspond to the comment they address. Where a comment addresses an issue already addressed in another comment, a reference to the response to the previous comment is provided. All comments on the content and adequacy of the Draft EIS/EIR have been responded to in full.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

April 28, 2008

Mr. Bradley Hubbard
Bureau of Reclamation
Division of Resources Management
2800 Cottage Way
Sacramento, CA. 95825

Subject: Draft Environmental Impact Statement (DEIS) American Basin Fish Screen and Habitat Replacement Project, Sacramento and Sutter Counties, CA (CEQ# 20080074)

The U.S. Environmental Protection Agency (EPA) has reviewed the above-referenced document pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508), and our NEPA review authority under Section 309 of the Clean Air Act.

We have rated the DEIS as Lack of Objections (LO) (see enclosed "*Summary of Rating Definitions*"). The proposed action would consolidate five existing unscreened water diversions into two new screened water diversions, remove fish barriers and facilities from the Natomas Cross Canal, and improve Natomas Basin water conveyance canals. As a result, there would be a reduction in adverse effects on anadromous fish, improvement of a migration corridor to additional fish habitat, enhanced flood conveyance capacity in the Natomas Cross Canal, and increased riparian and giant garter snake habitat. While the DEIS does not appear to identify a Preferred Alternative, we note that the American Basin Fish Screen Proposed Action would have the least adverse effects on sensitive fish habitat, mature trees, and Swainson's hawk foraging habitat.

As a party to CALFED, EPA supports the goals of the project. We have a few suggestions to maximize resource conservation in the context of the proposed demolition and construction of facilities. We recommend maximizing the salvage, recycling, and reuse of demolition waste and use of materials with recycled content. In addition, in the interest of full disclosure, we recommend the final environmental impact statement (FEIS) include a table comparing alternative canal modifications, clearly demonstrate that the overall canal design changes would not increase overall system capacity and diversion rates, provide updated information on Sacramento River fisheries, and describe how interim pumping design limits would be achieved. These suggestions are described further in our enclosed detailed comments.

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We commend the Bureau of Reclamation, California Department of Fish and Game, and Natomas Central Mutual Water Company (Natomas Mutual) for your efforts to improve conditions for anadromous fish and the giant garter snake while ensuring continued water supply reliability for Natomas Mutual. We appreciate the opportunity to review this DEIS. When the FEIS is released for public review, please send one hard copy and one CD ROM to the address above (mail code: CED-2). If you have any questions, please contact me at (415) 972-3846 or Laura Fujii, the lead reviewer for this project. Laura can be reached at (415) 972-3852 or fujii.laura@epa.gov.

Sincerely,

Laura Fujii for

Nova Blazej, Manager
Environmental Review Office

Enclosure:
Summary of EPA Rating Definitions
Detailed Comments

cc: Mr. James Navicky, California Dept. of Fish and Game

EPA DETAILED DEIS COMMENTS AMERICAN BASIN FISH SCREEN & HABITAT IMPROVEMENT PROJECT, SACRAMENTO & SUTTER COUNTIES, CA, APRIL 28, 2008

EPA-1

Pollution Prevention

Salvage, recycle, and reuse demolition waste. Use materials with recycled content. The action alternatives include decommissioning and dismantling the five existing water diversion plants. These plants would be replaced with two new screened diversion plants. Modifications to existing irrigation and drainage canals would also take place in order to ensure the same level of water service from the two new diversions.

Recommendation:

Maximize resource conservation and pollution prevention in accordance with Executive Order 13148 Greening the Government Through Leadership in Environmental Management. We recommend the project design include the salvage, recycling, and reuse of the demolition waste. We also recommend new construction maximize the use of materials with recycled content. The following websites provide useful information on pollution prevention, green building, and waste recycling:
http://www.epa.gov/region09/waste/p2/business.html
http://www.epa.gov/opptintr/p2home/index.htm
http://www.epa.gov/epaoswer/osw/pubs/recycling.htm
http://www.epa.gov/osw/infoserv.htm#other

EPA-2

Full Disclosure

Include a comparative table of canal modifications. Demonstrate that canal design changes would not increase overall system capacity and diversion rates. The consolidation of five diversion plants to two would require changes in the distribution canals in order to mitigate for the effects on supply response time that would occur as a result of moving the water supplies further from the demands (e.g., rice fields) (p. 2-39). The draft environmental impact statement (DEIS) describes the various canal modifications and states that the modified canal system capacity would be sized to replace and maintain existing peak service conveyance capacity (p. 2-37). Based on this description it is difficult to compare alternatives or to verify that the proposed canal modifications maintain, versus increase, existing conveyance capacity. The potential expansion of the existing water conveyance system and possible induced growth is of concern especially given the significant pressure for urban growth in the Natomas Basin.

Recommendation:

We recommend the final environmental impact statement (FEIS) include a comparative table of the proposed canal modifications by alternative. We recommend this table include information on design features that change flow rates and conveyance capacity compared to existing conditions. A clear explanation for the changes should be included, plus verification that the changes do not increase the overall system capacity and diversion rate beyond the existing conditions.

EPA-3

Provide updated fish information. In recent months there have been significant changes in the existing conditions and population status of Sacramento River fisheries. For instance, a recent decision by Federal regulators canceled the 2008 salmon fishing season due to a sharp decline in the Sacramento River's fall-run chinook salmon.

> ***Recommendation:***
> In the interest of full disclosure of the environmental context for the proposed project, we recommend the FEIS include updated information regarding the existing and projected conditions and population status of Sacramento River fisheries. We recommend including a short discussion of the potential implications of current events on the project.

EPA-4

Provide an estimate of costs and benefit/cost ratios by alternative. The DEIS states that funding will be provided from the Central Valley Project Improvement Act Restoration Fund, California Proposition 204, and the CALFED Ecosystem Restoration Program Plan (p. S-1). Projected costs, costs by component (e.g., diversion plants, canal modifications), and benefit/cost (b/c) ratios are not provided.

> ***Recommendation:***
> We recommend the FEIS include a table of the costs and b/c ratios of the alternatives.

EPA-5

Describe how interim pumping design limits would be achieved. Phase I of the American Basin Fish Screen Proposed Action would replace 2 existing diversion plants with one. The three remaining diversions would continue to operate until completion of Phase II and III. Thus, Phase I includes design limits to control pumping so that it would not exceed the existing diversion capacity of 630 cubic feet per second during the interim period when the new Sankey Diversion is operating in conjunction with the remaining existing diversions (p. 2-17).

> ***Recommendation:***
> We recommend the FEIS describe how the pumping design limits would be achieved until Phase II and III are complete.

Response to Comment EPA-1

Natomas Mutual will include provisions in all of its construction contracts and bidding documents to require the Construction Contractor to adhere to best management practices regarding salvaging, recycling, and reuse of demolition materials. Examples of best management practices include:

DISPOSITION OF MATERIALS

A. *Disposal*. All materials removed under this section shall be disposed of off-site at a commercial landfill. The material shall be removed from the job site before completion of the contract. Where feasible, suitable materials shall be disposed of at a recycling facility. Material shall not be sold on the site.

B. *Salvage and Reuse*. Items which are to be reused shall be stored and protected until ready for use. Materials damaged during removal or storage shall be repaired to the Engineer's satisfaction or replaced with new materials, as approved by the Engineer all at the Construction Contractor's expense.

C. *Disposition of Earthen Materials*. Excavated earthen materials, which in the opinion of the Engineer, are suitable for on-site disposal shall be spread and graded uniformly in the areas designated on the Plans or as identified by the Engineer. Materials shall be spread uniformly so as not to affect the natural drainage of the area. Earthen materials shall be graded to drain and shall be sufficiently compacted to ensure that final graded areas will not have low spots/ponding.

D. *Disposal of Unsuitable Materials*. Unsuitable materials shall be disposed of off-site as follows:

1. Concrete shall be segregated and disposed of off-site by the Construction Contractor at an approved concrete recycling center.

2. All other materials/debris shall be disposed of off-site by the Construction Contractor at an approved landfill. Where feasible, metal items and other recyclables shall be segregated and disposed of at an approved recycling center.

E. Excavated material shall be sorted/screened to minimize the amount of earthen material off-hauled.

In addition, all contracts will also include provisions requiring the Construction Contractor to use recycled materials to the extent feasible.

Response to Comment EPA-2

This comment requests the preparation of a table summarizing the canal improvements proposed under each alternative and phase. This comment seems to be based on the assumption that the amount of water diverted and delivered by Natomas is constrained and controlled by canal capacities, and that expanding the capacities could allow Natomas to divert and deliver more water to its customers once the project is complete. In fact, the amount of water diverted and delivered by Natomas is governed by their water rights and contracts, not the canal capacities. Natomas' water rights and contracts are described in Section 2.2.2 *Water Rights, Uses, and Demands*, of the Draft EIS/EIR, beginning on Page 2-3 of Volume I.

Currently Reclamation has water meters installed at each Natomas Mutual diversion, and Reclamation periodically monitors these meters to ensure that the volumes and timing of diversions by Natomas meet the terms of their water rights and contracts. If the ABFS Proposed Action is implemented, Reclamation will install meters on the new diversions and will monitor those new meters in the same way.

The commenter is also directed to the following text, found on Page 2-17 of Volume I of the Draft ABFS EIS/EIR which states:

> "Limits will be designed into the system to control pumping beyond existing capacity until the Elkhorn (Phase II) and Riverside (Phase III) work is constructed and implemented. Thus, the total existing diversion capacity of 630 cfs would be maintained with the new Sankey Diversion and the existing diversions at Elkhorn, Prichard, and Riverside, which would continue to operate without fish screens during this phase."

Finally, the commenter is directed to Table 2-1, on Page 2-19 of Volume I of the Draft EIS/EIR, which provides information about the water diversion capacities of each alternative and each phase of the ABFS Proposed Action.

Response to Comment EPA-3

The following information provides a summary of recent trends in Sacramento River salmon populations.

> The Pacific Fisheries Management Council (PFMC) reported on 29 January 2008 unexpectedly low Chinook salmon returns to California in 2007, in particular to the Central Valley. Adult returns to the Sacramento River, the largest of Central Valley Chinook salmon runs, failed to meet resource management goals (122,000-180,000 spawners) for the first time in 15 years. Although there is no shortage of potential contributors to the decline, including such wide ranging factors as poor fecundity of the 2004/05 yearclass; hydrologic flushing of fry prematurely to sea by high stream flows in 2005; increased predation by avian, pinniped, and/or other marine predators; and anthropogenic factors such as oil spills, fishing bycatch mortality, irrigation, and water exports from streams, the spatial extent of the problem points toward a broader agent: ocean conditions. Ocean conditions were poor for salmon growth and survival during the spring–summer of both 2005 and 2006.

[Source: MacFarlane, R.B., S. Hayes, and B. Wells. 2008. Coho and Chinook salmon decline in California during the spawning seasons of 2007/08. Accessed on May 13, 2008. Available at: www.resources.ca.gov/bdcp/docs/2.8.08_HO_Decline_of_salmon_in_California_in_2007.pdf.

The ABFS Proposed Action is a project being funded using federal and state ecosystem restoration funds for the expressed purpose of improving conditions for salmonids in the Sacramento River and Natomas Cross Canal by removing barriers to migration and reducing losses due to entrainment in agricultural diversions. Thus, while the ABFS Proposed Action

would not affect ocean conditions, it should contribute to improved conditions in the Sacramento River for these fish, and thus, to their recovery.

Response to Comment EPA-4

CDFG, Reclamation, and Natomas Mutual have developed construction costs for the ABFS Proposed Action and have updated these costs periodically to keep them current. They have not developed detailed cost estimates for each alternative. Benefit to cost (b/c) ratios have not been developed for either the ABFS Proposed Action or any of the alternatives; however, the ABFS Proposed Action was developed in consultation with the Anadromous Fish Screen Technical Team, including experts from the National Marine Fisheries Service , USFWS, CDFG, Reclamation, and the California Department of Water Resources. Close consultation with these agencies ensured that the most environmentally and cost effective project possible was designed. In addition, a Value Engineering study was conducted by Reclamation to ensure that the most cost effective design that met the project's restoration goals was selected.

Response to Comment EPA-5

Please see the response to Comment EPA-2.

DEPARTMENT OF TRANSPORTATION
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SACRAMENTO, CA 94274-0001
PHONE (916) 274-0614
FAX (916) 274-0648
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April 14, 2008

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American Basin Fish Screen and Habitat Improvement Project
DEIR
SCH#2003092006

Mr. James Navicky
Department of Fish & Game, Region 2
1701 Nimbus Road, Suite A
Rancho Cordova, CA 95670

Dear Mr. Navicky:

Thank you for the opportunity to review and comment on the American Basin Fish Screen and Habitat Improvement project. Our comments are as follows:

DOT-1

- Our comments in our letter of September 17, 2003 (copy enclosed) are still valid. Any water diversion and distribution system modification work to be performed within Caltrans right-of-way will require an encroachment permit. For permit assistance, please contact Julio Elvir at (530) 741–4204.

DOT-2

- Truck hauling trips and other work related activities using State highways should be disclosed in a Transportation Management Plan (TMP) submitted to Caltrans. For TMP assistance, please contact Paul Wilkinson at (916) 859-7978. A copy of the TMP Guidelines is enclosed for reference.

If you have any questions regarding these comments, please contact Ken Champion at (916) 274-0615.

Sincerely,

Rick Helman for

Dawn Cheser, Office Chief
Office of Transportation Planning - South

c: Scott Morgan, State Clearinghouse

DEPARTMENT OF TRANSPORTATION
DISTRICT 3 – Sacramento Area Office
Venture Oaks - MS 15
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Sacramento, CA 94274-0001
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September 17, 2003

03SAC0120
03-SAC-Various
American Basin Fish Screen and Habitat Improvement Project
Notice of Preparation
SCH#2003092006

Mr. James Navicky
Department of Fish & Game, Region 2
1701 Nimbus Road, Suite A
Rancho Cordova, CA 95670

Dear Mr. Navicky:

Thank you for the opportunity to review and comment on the American Basin Fish Screen and Habitat Improvement project. Our comments are as follows:

- Any water diversion and distribution system modification work to be performed within Caltrans right-of-way will require an encroachment permit. The "County Line Check and Lift Pump" and "re-grading the North Drainage Canal from the V drain to Highway 99" are project actions near the State highway. For permit assistance, please contact Bruce Capaul at (530) 741-4403.

If you have any questions regarding these comments, please contact Ken Champion at (916) 274-0615.

Sincerely,

ORIGINAL SIGNED BY:
JEFFREY PULVERMAN, Chief
Office of Regional Planning

c: Scott Morgan, State Clearinghouse

bc: Dennis Jagoda, Hydraulics
Bruce Capaul, Encroachment Permits
Rebecca Covington, Sacramento County Regional Planning
Ken Champion, District 3–Sacramento County LDR Coordinator

KC/ kc

State of California

Department of Transportation

Transportation Management Plan Guidelines

Prepared By:

Division of Traffic Operations

Office of Systems Management Operations

Table of Contents

I. INTRODUCTION

A. BACKGROUND

With the construction of California's state highway system virtually complete, the California Department of Transportation (Department) major emphasis on transportation projects has largely shifted from new construction to reconstruction, operation, and maintenance of existing facilities. As traffic demand steadily increases, Department work activities can create significant additional traffic delay and safety concerns on already congested highways. Planning work activities and balancing traffic demand with highway capacity becomes more critical.

In order to prevent unreasonable traffic delays resulting from planned work, Transportation Management Plans (TMPs) must be carefully developed and implemented in order to maintain acceptable levels of service and safety during all work activities on the state highway system.

B. WHAT ARE TRANSPORTATION MANAGEMENT PLANS?

A TMP is a method for minimizing activity-related traffic delay and accidents by the effective application of traditional traffic handling practices and an innovative combination of public and motorist information, demand management, incident management, system management, construction strategies, alternate routes and other strategies.

All TMPs share the common goal of congestion relief during the project period by managing traffic flow and balancing traffic demand with highway capacity through the project area, or by using the entire corridor. Certain low-impact Maintenance and Encroachment Permit activities do not require the development of individual TMPs. "Blanket" TMPs are developed for those activities. A blanket TMP is a generic list of actions that would be taken to keep delay below the delay threshold when performing activities on highways. Each district Maintenance and Encroachment Permit office should have a list of activities to which blanket TMPs apply.

All Capital projects require individual TMPs. Blanket TMPs are suitable for minor projects. Major TMPs are required for high-impact projects. Generally, major TMPs are distinguished by being:

- Multi-jurisdictional in scope, encompassing the Department of California Highway Patrol (CHP), city, county and regional governments, state DOTs, employers, merchants, developers, transit operators, ridesharing agencies, neighborhood and special interest groups, emergency services, and Transportation Management Associations;
- Multi-faceted, comprised of an innovative mix of traffic operations, facility enhancement, demand-management and public relations strategies, as well as more traditional work zone actions, construction methods and contract incentives, customized to meet the unique needs of the impacted corridor;
- In place over a longer period of time, sometimes implemented up to a year or more prior to the start of actual construction, with specific elements often implemented incrementally to coincide with construction phasing.

C. POLICY

Department Deputy Directive 60 (DD-60) titled Transportation Management Plans (see APPENDIX) requires TMPs and contingency plans for all state highway activities.

Policy Statement:

The Department minimizes motorist delays when implementing projects or performing other activities on the state highway system. This is accomplished without compromising public or worker safety, or the quality of the work being performed.

TMPs, including contingency plans, are required for all construction, maintenance, encroachment permit, planned emergency restoration, locally or specially-funded, or other activities on the state highway system. Where several consecutive or linking projects or activities within a region or corridor create a cumulative need for a TMP, the Department coordinates individual TMPs or develops a single interregional TMP.

TMPs are considered early, during the project initiation or planning stage.

Major lane closures require District Lane Closure Review Committee (DLCRC) approval.

Definitions:

Major lane closures are those that are expected to result in significant traffic impacts despite the implementation of TMPs.

Significant traffic impact is 30 minutes above normal recurring traffic delay on the existing facility or the delay threshold set by the District Traffic Manager (DTM), whichever is less.

Contingency Plans address specific actions that will be taken to restore or minimize effects on traffic when congestion or delays exceed original estimates due to unforeseen events such as work-zone accidents, higher than predicted traffic demand, or delayed lane closures.

II. TMP DEVELOPMENT AND IMPLEMENTATION

A. OVERVIEW

Responsibilities:

The DTM:

- Acts as the single focal point for all traffic impact decisions resulting from planned activities on the state highway system.
- Determines the extent of a TMP.
- Facilitates review and approval of TMP measures and planned lane closure requests.
- Directs the termination or modification of active planned lane closure operations when traffic impact becomes significant, without compromising traveler or worker safety.

The TMP Manager:

- Acts as the single focal point for development and implementation of TMPs.

The Construction Traffic Manager (CTM):

- Serves as a liaison between Construction, the DTM and the TMP Manager.
- Reviews the TMP and traffic contingency plan for constructability issues.
- Act as a resource for the Resident Engineer, DTM and TMP Manager during TMP implementation and reviews the contractor's contingency plan.

The extent of a TMP is determined by the DTM during the preliminary studies of a capital project. For all TMPs, an itemized estimate of the proposed strategies and their respective costs are included in the Project Study Report (PSR) or Project Study Scoping Report (PSSR) for proper funding consideration. The workload required to develop and implement TMPs is estimated in advance and captured in the district work plan.

For major TMPs, a TMP team may need to be formed and led by the TMP Manager. The itemized strategies and costs are further refined in the project report stage as determined by the TMP team and appropriate functional units using the most current geometric information available. Those elements of the TMP not included as part of the main construction contract should be itemized under State Furnished Material and Expenses using the appropriate Basic Engineers Estimate System (BEES) codes in the plans, specifications and estimates. During construction, TMP activities are to be monitored and evaluated by the TMP team and those elements found not to be cost effective should be modified as deemed appropriate or eliminated. The TMP process is explained in detail in the following sections.

B. FUNDING AND PROGRAMMING

When identifying funding for various TMP elements, it is important to distinguish between capital outlay and capital outlay support.

Work done by district staff for the planning and designing of TMP activities for capital projects are a normal part of the project development process and should be captured as capital outlay support. The TMP Manager and each functional manager should work closely with the project manager to ensure that TMP activities are included in all project work plans. TMP support activities to consider include ridesharing programs, Freeway Service Patrol (FSP) contracts, public awareness campaigns, parallel route improvements and the Request for Proposal (RFP) process up to award of the contract. Note that some of these activities may also have a capital component in addition to the support component discussed here. Workload hours for TMP activities must be included in the Capital Outlay Support (COS) project's work plan in order to be resourced (funded) by COS. These activities should then be charged to each project's expenditure authorization (EA), using the appropriate Work Breakdown Structure (WBS) code for that stage of the project. TMP-related work should be charged only to the WBS codes reserved for those activities. These codes can be found on the Department's Division of Project Management's Intranet web page.

Work done by district staff for implementing TMP elements during construction of capital projects are also a normal part of the project development process. Again, workload (hours) for implementing TMP activities must be included in the COS project's work plan in order to be resourced (funded) by COS. These activities should then be charged to the appropriate project's phase three EA, and WBS code 270 (Perform Construction Engineering and Contract Administration).

Some funds necessary to implement TMP elements not done by the Department staff, including consultant contracts, can be sourced from capital outlay funds allocated by the California Transportation Commission (CTC) as itemized in the plans, specifications and estimates. Some TMP elements, such as parallel route improvements and highway advisory radios, could be a phase of the construction contract or separate construction contracts while others such as public awareness campaigns and transit subsidies must be separate contracts or cooperative agreements.

The TMP elements that need to be in place prior to start of construction are identified and funded as stage construction or first order of work under a single package presented to the CTC. If approved, the Division of Budgets may assign specific amounts for each TMP activity. All TMP activities may not necessarily be included under the main contract. Service contracts such as those for freeway service patrols, public service or consultant contracts, information campaigns, or establishing telephone hotlines must be arranged separately with consultants and other providers. For most projects, it takes four to six months to get a service contract in place. This means that all consultant contracts have been advertised, the consultant selected, and the contract ready for signature and award immediately following CTC allocation of funds. Other activities such as parallel route improvements are usually included in the main construction contract and as a first order of work under a cooperative agreement.

In some cases, the CTC can be petitioned to fund a portion of the TMP as an initial phase of the main project. This is usually for a high priority project where plans, specifications, and estimates for the main project are not yet finalized, but early funds are needed to initiate TMP activities such as making transit arrangements with local governments. The petition to fund an initial phase comes from the district, explaining why a portion of the project must proceed before funding for the main project is allocated. These early funds reduce the programmed funds for the main project accordingly.

The Federal Highway Administration (FHWA) supports the TMP concept and views major reconstruction projects as an excellent opportunity to initiate continuing traffic management strategies that provide improved traffic operations long beyond the completion of work. Examples include: installation of permanent Changeable Message Sign (CMS), full structural section shoulders, continuing auxiliary lanes, and wider shoulders for incident management during construction if cost-effective in the long term. All cost-effective transportation management activities that address the problem of delay or safety are eligible for 100 percent Federal Aid funding.

TMPs and contingency plans for Encroachment Permit projects are developed by the permittee or by Department staff. Staff time for development, review and implementation of TMPs for Encroachment Permits is charged to the permit. Maintenance normally develops TMPs for its projects; Maintenance and staff from other functional areas that expend time on Maintenance TMP charge to the designated Maintenance EA.

C. TMP IN PROJECT INITIATION DOCUMENT

The TMP is part of the normal project development process and must be considered in the Project Initiation Document (PID) or planning stage (project K phase). Since projects are generally programmed, budgeted, and given an Expenditure Authorization (EA) upon PID approval, it is important to allow for the proper cost, scope and scheduling of the TMP activities at this early stage of development. TMPs that are retrofitted to projects already programmed must be handled on a case by case basis and may require a contract change order.

Prior to PID approval, the initiating unit sends conceptual geometrics to the district Division of Operations for evaluation. The DTM estimates the extent of the TMP required and determines whether potential traffic delays are anticipated that cannot be mitigated by traditional traffic handling practices or well-planned construction staging. The TMP Manager must sign-off on the TMP DATA SHEET in the PID. A TMP cost estimate should be developed for each alternative being considered. An estimate should not be based only on the project cost. The cost of a TMP could range from a small percentage of project cost to 20 percent or more. Further guidance can be obtained from the following publications "Wilbur Smith & Associates TMP Effectiveness Study" and Frank Wilson & Associates "A Traffic Management Plan Study for State Route 91" located in Headquarters Traffic Operations, Office of System Management Operations.

TMP Elements

A list of potential TMP strategies with their respective elements is categorized in TABLE 1. As many different elements as are feasible should be considered for the proposed project's preliminary TMP.

When developing a preliminary TMP at this early stage, use the most current layout of the roadway (geometrics) information available and consider:

Contingency Plans
Lane closure policies and procedures
TMC coordination
Multi-jurisdictional communication and buy-in
CHP and local law enforcement involvement
Emergency closures
Clearance of alternate routes for STAA and oversized
Special training or workforce development
Duration of construction (months)
Length of project (miles)
Number of major construction phases
Urbanization (urban, suburban, or rural)
Traffic volumes
Expected vehicle delay (from data sheet)
Public/media exposure
Political or environmental sensitivity
Business impacts and affected activity
Percent trucks
Potential increase in accidents
Permit issues
Conflicting construction projects
Percent reduction in vehicle capacity
Special factors (if any)
Impact on Transit/Railroad services
Viability of alternative routes

Wilbur Smith Associate's TMP Effectiveness Study and Frank Wilson & Associate's A Traffic Management Plan Study for State Route 91 During Construction of HOV Lanes (both available from Headquarters Division of Traffic Operations, Office of System Management Operations) are excellent sources for guidance on selecting the most cost-effective TMP elements. The district Public Information office is also an experienced source for estimating the effectiveness of public information campaign options, and can help the TMP Manager estimate their cost and effectiveness in reducing traffic demand through the project area.

Public information campaigns serve two main purposes in TMPs. They inform the public about the overall purpose of the project to generate and maintain public support; and they encourage changes in travel behavior during the project to minimize congestion. Because they give travelers the information they need to make their own travel choices, public information campaigns can be the single most effective of all TMP elements.

The FSP is a congestion relief program of roving tow trucks operating in most metropolitan and some rural areas. The FSP program is operated by Regional Transportation Planning Agencies (RTPAs) with funding from the Department. The Department also reimburses the CHP for training and supervisory services provided for the FSP. The RTPAs contract with tow companies

for commute time service and some weekend and mid-day service to assist motorists with simple repairs (i.e. flat tire, one gallon of gas) or tow the automobile from the highway.

FSP is available for incident management during construction. However, construction-related FSP service needs to be funded as part of the TMP. A cooperative agreement with the RTPA is required, outlining the services provided and the fund transfer. An interagency agreement with the CHP is required for any support services (field supervision and dispatch operator services). These agreements should be initiated with the RTPA and the CHP as soon as it is determined that FSP should be in the project TMP.

The Department's HQ Traffic Operations is currently working on Master Agreements with the RTPAs for future FSP services. This process will simplify the process for both the Department and the RTPAs by eliminating the need for a cooperative agreement for each project. Only a task order form will be needed for each project. A similar agreement is being created with the CHP. Please contact HQ Traffic Operations, Freeways Operations Branch for more information.

TABLE 1

TMP STRATEGIES AND THEIR ELEMENTS

A. Public Information	Off peak/Night/Weekend Work
Brochures and Mailers	Planned Lane/Ramp Closures
Media Releases (including	Project Phasing
Minority Media Sources)	Temporary Traffic Screens
Paid Advertising	Total Facility Closure
Public Information Center	Truck Traffic/Permit Restrictions
Public Meetings/Speaker's Bureau	Variable Lanes
Telephone Hotline	Extended Weekend Closures
Visual Information (videos, slide shows, etc.)	Reduced Speed Zones
Local cable TV and News	Coordination with Adjacent Construction
Traveler Information Systems (Internet)	Traffic Control Improvements
Internet	Total Facility Closure
B. Motorist Information Strategies	**E. Demand Management**
Electronic Message Signs	HOV Lanes/Ramps
Changeable Message Signs	Park-and-Ride Lots
Extinguishable Signs	Parking Management/Pricing
Ground Mounted Signs	Rideshare Incentives
Commercial Traffic Radio	Rideshare Marketing
Highway Advisory Radio (fixed and mobile)	Transit Incentives

Planned Lane Closure Web Site	Transit Service Improvements
The Department's Highway Information Network (CHIN)	Train or Light-Rail Incentives
Radar Speed Message Sign	Variable Work Hours
	Telecommute
C. Incident Management	Shuttle Service Incentives
Call Boxes	
Construction or Maintenance Zone Enhanced	**F. Alternate Route Strategies**
Enforcement Program – COZEEP or MAZEEP	Ramp Closures
Freeway Service Patrol	Street Improvements
Traffic Surveillance Stations (loop detectors and CCTV) Closures	Reversible Lanes
911 Cellular Calls	Temporary Lanes or Shoulder Use
Transportation Management Centers	
Traffic Control Officers	**G. Other Strategies**
CHP Officer in TMC during construction	Application of new technology
Onsite Traffic Advisor	Innovative products
CHP Helicopter	Improved specifications
Traffic Management Team	Staff Training/Development
D. Construction Strategies	
Incentive/Disincentive Clauses	
Ramp Metering	
Lane Rental	

If the DTM determines that a major TMP is required, the TMP Manager forms a TMP development team. The team's membership will vary according to the TMP elements proposed and the project's impacts. At a minimum, it should include representatives from Construction, Public Affairs, Project Development, Traffic Operations (including Transportation Permits), the CHP and local agencies. Others to be considered as the plan gets refined are Rideshare, Transportation Planning, Public Transportation, Maintenance, Structures, CHP, local law enforcement, local transit agencies, emergency services, and FHWA. Local Maintenance field staff familiar with conditions in the project area should be team members or should be consulted as needed as the TMP develops.

D. TMP IN PROJECT REPORT

As more information becomes available during the project report phase the preliminary scope and cost of the overall TMP and the individual elements should continue to be refined. The TMP team will coordinate the TMP strategies with the project engineer and appropriate units, with

each team member handling their area of expertise. For major projects, subcommittees or task forces may be formed to handle the planning, implementation, monitoring, and evaluation details of some elements. The TMP Manager will keep the Project Manager and district Construction Coordinator updated and must sign-off on the TMP data sheet of the project report.

It is appropriate at this point to develop a timeline schedule for major TMPs keeping in mind that many elements of the TMP have to begin prior to the start of construction. Many TMP elements listed in Table 1 need to be developed separately but concurrently with the project plans. They may be bid and constructed or initiated separately from the project or be included in the project plans and be installed or implemented as the first order of work.

Some tasks may take a long time depending on the complexity of the major project and the type of transportation management necessary. For example, if building new park-and-ride lots are necessary for the Ridesharing element, the planning phase would have to be extended for several months and a design phase added.

An additional activity involves analyzing the existing traffic volume in the corridor, both on the freeway and surface streets. This will provide a basis for establishing the goal of the TMP, i.e., the number of vehicles that should be removed from the freeway, and in determining the capability of the surrounding surface streets to handle the additional traffic demand. It can also provide a database for evaluating the overall effectiveness of the TMP.

E. TMP IN PS&E

Those TMP elements that are not part of the main contract, but are identified as capital outlay costs tied to the main project, should be itemized as State Furnished Materials and Expenses using the appropriate BEES item cost (see TABLE 2). The Project Engineer should consult with the TMP Manager to ensure that the appropriate "Maintaining Traffic" Standard Special Provisions (SSP) are included in the PS&E. The SSPs should always require the contractor to submit a contingency plan.

The TMP and PS&E should address oversize and overweight vehicles traveling under a transportation permit. Additional construction area signs should be provided that restrict travel to overwidth vehicles whenever the lateral clearance drops to 15 feet or less.

The DTM must concur with the PS&E and with Encroachment Permit and Maintenance TMPs.

TABLE 2

TMP BEES ITEM CODES
066003 State Furnished Materials
066004 Miscellaneous State Furnished Materials
066005 Concurrent Work
066006 Miscellaneous Concurrent Work
066008 Incentive Payment
066009 Utility Expense

066010 Work by Others
066060 Additional Traffic Control
066061 CHP Enhanced Enforcement
066062 COZEEP Contract
066063 Traffic management plan – public Information
066064 Specter Radar Unit
066065 Freeway Service Patrol
066066 Public Transit Support
066069 Rideshare Promotion
066070 Maintain Traffic
066072 Maintain Detour
066074 Traffic Control
066076 Temporary Traffic Control
066077 Install Traffic Control Devices
066578 Portable Changeable Message Signs
066825 Temporary Striping
066872 Service Contract
128602 Traffic Control System (One Way)
128650 Portable Changeable Message Signs
129150 Temporary Traffic Screen
861793 Telephone Service (Location 1)
860811 Detector Loop
860925 Traffic Monitoring Station (Count)
860926 Traffic Monitoring Station (Speed)
860927 Traffic Monitoring Station (Incident)
860930 Traffic Monitoring Station
861088 Modify Ramp Metering System
861985 Travelers Information system
869070 Power and Telephone Service
991046 Public Address System
991047 Telephone Facility
994920 Bicycle Parking Rack

995000 Bus Shelter
995002 Bus Passenger Shelter (Type S-1)
995004 Bus Passenger Shelter (Type SM-1)
995005 Bus Passenger Shelter (Type LM-1

F. TMP DURING CONSTRUCTION AND MAINTENANCE OPERATIONS

During construction, those TMP elements that are part of the main contract or Encroachment Permit are implemented under the general direction of district Construction or Encroachment Permits. Those separate contracts/agreements such as for rideshare and transit activities and public awareness campaigns will be under the direction of their respective contract managers.

Special effort should be given to assure that Changeable Message Sign (CMS), Highway Advisory Radio ()HAR) and other media tools provide accurate and timely information to motorists regarding lane closure times and

TMP elements must be carefully monitored for cost effectiveness. The TMP team should determine whether the implemented measures are reaching the predetermined goals for cost effectiveness. If an element's predetermined goal is not immediately reached during implementation, but there is a general trend toward meeting that goal, the element can remain in effect and the FHWA will continue to participate. Elements that show no sign of approaching their predetermined goals as determined by the TMP Manager must be modified as deemed appropriate or dropped.

Contractor compliance with lane closure pickup deadlines can be enforced in two ways. A "maintaining traffic" SSP allows a penalty to be assessed to the contractor for value of traffic delay when the contractor exceeds the lane closure window. The minimum penalty is $1,000 per 10 minutes, but it can greatly exceed the minimum, depending on traffic volumes and the highway facility. The DTM calculates the "delay penalty" during PS&E. The second method is for the state representative to suspend the contract work.

A contractor or the Department forces (such as Maintenance) can be ordered to pick up a lane closure early if traffic impacts become significant either due to a project incident or activities outside the project area. Early pickup should only be ordered when traveler and worker safety will not be compromised. The "maintaining traffic" SSPs for capital projects provide for compensating contractors for early pickup. Encroachment Permit provisions require the permittee to pick up a closure early without compensation.

DTM's are to ensure that lane closures will not be terminated early, or may be extended beyond the lane closure window when the activity needs to be completed for the safety of the public or workers. These activities may include structure inspections and repairs, guardrail repairs, culvert replacement.

In order to avoid significant traffic impacts, it is essential to monitor and respond immediately to delay, pick up closures on time, and have solid traffic and contractor contingency plans.

A Department staff member who can make informed decisions about implementing contingency plans and modifying, terminating or extending approved lane closures should be available to respond to significant delays and other unexpected events whenever lane closures are in place.

The designated employee(s) may be Traffic Operations, Construction, or TMC staff, depending on the district.

At the end of the project a post-TMP evaluation report must be completed by the TMP Manager for all major TMPs and for TMPs where the actual delay exceeded the threshold set by the DTM. Post-TMP meetings with the CHP and other partners can be held to identify what went well and what could have been done differently. Samples of past TMP reports can be obtained from headquarters' Traffic Operations, Office of System Management Operations and from the DTM.

Contingency Plan

Both traffic and contractor contingency plans are required for all planned work. Both blanket and individual TMPs must include contingency plans. The traffic contingency plan, prepared by the Department or a consultant, addresses specific actions that will be taken to restore or minimize affects on traffic when the congestion or delay exceeds original estimates due to unforeseen events such as work-zone accidents, higher than predicted traffic demand, or delayed lane closures. The contractor contingency plan addresses activities under the contractor's control in the work zone. After the contractor's contingency plan is submitted and approved, it becomes part of the TMP contingency plan.

The TMP contingency plan should include, but is not limited to the following:

- Information that clearly defines trigger points which require lane closure termination (i.e., inclement weather, length of traffic queue exceeds threshold;
- Decision tree with clearly defined lines of communication and authority;
- Specific duties of all participants during lane closure operations, such as, coordination with CHP or local police, etc.;
- Names, phone numbers and pager numbers for the DTM or their designee, the Resident Engineer (RE), the Maintenance Superintendent, the Permit Inspector, the on-site traffic advisor, the CHP Division or Area Commander, appropriate local agency representatives, and other applicable personnel;
- Coordination strategy (and special agreements if applicable) between DTM, RE, on-site traffic advisor, Maintenance, CHP and local agencies;
- Contractor's contingency plan;
- Standby equipment, State personnel, and availability of local agency personnel for callout (normally requires a Cooperative Agreement);
- Development of contingencies based on maintaining minimum service level.

G. RETROFITTING PROGRAMMED PROJECTS

Usually the extent of the TMP is to be determined prior to programming (PID approval). However, it may sometimes be necessary to retrofit a TMP to a project that is already programmed due to project changes, policy changes, emergencies or unforeseen conditions. These projects must be handled on a case by case basis since the course of action will depend on how far along the project development process is and how extensive the TMP needs to be. Retrofitted TMPs may require a TMP team and TMP Manager and involvement from all functional units as discussed earlier in these guidelines. The project manager is responsible for

initiating a TMP investigation since they are most knowledgeable of project status. Some suggestions for funding retrofitted TMP are:

Use of Minor Funds

Minor A and B money has been used to pay for TMP measures that total less than $1,000,000. The districts will not usually be reimbursed for this even though the FHWA agrees to participate (it is not economically feasible for the Department to process minor funds for reimbursement). There have been exceptions however, and that decision is at the discretion of the Federal Resources Branch in headquarters Budgets Program.

Charge to Other Project Phase 4 (Construction) Funds

Funds from other construction contracts in the district may be used if those projects are in the vicinity of, or will be affected by, the project requiring TMP funds. At the discretion of the Deputy District Director for Construction a list of chargeable project EAs may be submitted to headquarters Accounting for prorated charging. Very few Accounting staff are aware of the process required and headquarters Traffic Operations, Office of System Management Operations should be contacted for assistance.

Project Cost or Scope Changes

The CTC has delegated to the Director of the Department the authority to increase a project's cost by up to 20 percent without prior commission approval. This authority has been delegated to other Department managers as described in Project Management Directive PMD6. This increase can be used for TMP implementation and will be 100 percent reimbursable by the FHWA. The increased costs must be absorbed by other projects in the district since the total capital outlay allocation remains the same.

H. LOCAL INVOLVEMENT

The TMP Deputy Directive 60 applies to all projects on state facilities, including those not funded by the state. District Directors are responsible for assuring local compliance. Since many measure projects are split funded, the Department and local entities must work cooperatively to develop an effective TMP. The Department is responsible for approving all PSRs and it is at this point that agreements should be reached concerning the costs and scope of TMP measures.

III. CORRIDOR, REGIONAL AND MULTI-FUNCTIONAL AREA TMPS

When multiple or consecutive projects are within the same general corridor, the cumulative impact can result in excessive traffic delays and detour conflicts. These may be multiple capital projects, the involvement of more than one district, or a combination of capital projects and Encroachment Permit and/or Maintenance activities. Corridor or regional coordination will minimize or eliminate these impacts and reduce inconvenience to the motoring public.

When multiple projects are in the same corridor or on corridors within the same traffic area, it may be possible to develop a single corridor or regional TMP. In other cases, individual TMPs are developed and funded from their own sources, and a bare-bones corridor or regional TMP addresses the cumulative impact. Each project covered by corridor and regional TMP contributes resources in proportion to its traffic impact. During TMP implementation, the TMC serves as an information clearinghouse and coordinates operations. The TMC helps identify conflicts and recommends appropriate action. When provided with accurate and up-to-date lane closure information the TMC provides real-time traffic information via electronic media, CMS, and HAR.

The TMP Manager coordinates the development and implementation of corridor and regional TMPs. The TMP Manager forms a TMP team including, as a minimum, representatives from Construction, Maintenance, Public Affairs and Traffic Operations for each of the affected districts. The initial meeting is held several months in advance of the construction season to set milestones, and allow time to gather project information and prepare and distribute information.

The corridor/regional TMP may need elements in addition to those provided by the individual TMP for each project. Those elements may include changeable message signs at key locations outside individual project limits, the establishment of an information hot line and web-sites for all projects involved. The use of the statewide Caltrans Highway Information Network (CHIN) number (1-800-427-ROAD), and particularly the use of TMCs as a central reporting hub. The Northern Valley TMC in District 3 has established reporting procedures specifically for interregional TMPs that are obtainable from headquarters Traffic Operations.

IV. MAJOR LANE CLOSURE APPROVAL PROCESS

This process applies to all major lane closures on the state highway system. Major lane closures are those lane closures that are expected to result in significant traffic impacts despite the implementation of TMPs. A "significant traffic impact" is defined in DD-60 as (a) 30 minutes above normal recurring traffic delay on the facility, or (b) the delay threshold set by the DTM, whichever is less. When a planned lane closure is expected to have a significant traffic impact, Headquarters District Lane Closure Review Committee (DLCRC) review and approval is required. The functional unit directly involved in the work must submit the major lane closure request to the DLCRC for approval as detailed below.

A traveler's trip should not be increased by more than 30 minutes due to planned Department activities. The DTM may set a lower maximum if the economic impact of a delay over 20 minutes would be high. The lesser of these delay limits is the maximum delay threshold allowed for any activity. Only the DLCRC can approve a higher delay threshold for a project.

Additionally, it should be noted that TMP activities are comprehensive, and involve actions in addition to traffic management through the work zone, as detailed in these TMP Guidelines. All lane closure operations and other planned activities should be evaluated at the earliest possible developmental stage for potential impacts and mitigation strategies. Pre-implementation meetings and contingency plans remain important aspects of all lane closure operations to minimize impacts of unforeseen events.

A. THRESHOLD CRITERIA FOR LANE CLOSURES REQUIRING APPROVAL OF THE DLCRC

DLCRC review and approval is required when planned activities are expected to result in a traffic delay that exceeds 30 minutes or the delay threshold set by the DTM, which ever is less.

DLCRC review and approval is not required for emergency closures due to natural events or incidents. However, the DTM must be notified, and every effort must be made to minimize traveler delay and reopen traffic lanes as soon as practical.

Applicability

The DLCRC, comprised of the CHP, District Public Information Officer, and Deputy District Directors of Construction, Design, Maintenance and Operations, approves all requests for major lane closures that meet the above threshold criteria. The criteria are applicable for moving or static lane closure operations. The DLCRC will decide when to submit lane closure requests that

are of an interregional, statewide, environmental, or otherwise sensitive nature to the Headquarters Lane Closure Review Committee (HQLCRC) for their approval.

The DLCRC is responsible for determining when HQLCRC approval is required. The HQLCRC is comprised of the Division Chiefs for Construction, Maintenance, Design and Local Programs, and Traffic Operations along with the Headquarters Public Information Officer, and a representative from the CHP. The HQLCRC may review the closure or leave the decision to the DLCRC. The HQLCRC should be advised of all planned lane closures that exceed the above threshold criteria. All planned lane closures that exceed the above threshold criteria and are of an interregional, statewide, environmental, or otherwise sensitive nature, as determined by the district LCRC, may also require approval of the HQLCRC.

Contents of Major Lane Closure Request Submittal

The functional unit requesting the lane closure and responsible for its performance prepares a proposed lane closure submittal. Sufficient information is provided to ensure complete understanding of the proposal. The submittal is sent through the DTM for review before sending it on to the LCRC. If additional TMP efforts can reduce the expected additional delay to less then 30 minutes, then the closure does not have to go to the LCRC. The DLCRC/HQLCRC may require additional information during its review. At a minimum, the following information is recommended initially:

1. Location and vicinity maps showing the state highway(s), local street network, and other adjacent lane closures or nearby work that may affect traffic during the same period, including special events;
2. Dates, times and locations of the lane closure(s);
3. Brief description of the work being performed during the lane closure(s);
4. Brief description of each lane closure and its anticipated affect on traffic;
5. Amount of expected delay and corresponding queue length for each lane closure;
6. Summary of TMP strategies that will be used to reduce delay and motorist inconvenience during the lane closure(s) (refer to Table 1). A copy of the approved TMP for the project, if available;
7. Contingency plan (see "Contingency Plan" below).

B. EVALUATION

The LCRC is responsible for approving major lane closures and will use the items below for evaluating lane closure operations. In its evaluation of the proposal, the LCRC will give consideration to the accuracy, reliability, and completeness of information provided as well as other reliable sources of information available to the LCRC.

Proposals will be evaluated on the basis of effectiveness in the following areas:

- Promoting motorist and worker safety;
- TMP strategies;
- Plans for coordination with adjacent construction, maintenance, encroachment permits, and special events;

- Plans for coordination with TMC and field personnel;
- Plans for coordination with public media;
- Plans for use of existing field elements such as traffic surveillance loops, changeable message signs, highway advisory radio, and Closed Circuit Television cameras;
- Lines of communication and authority (top to bottom);
- Plans for monitoring delay (or corresponding queue length) during lane closure operations;
- Alternatives to proposed closures;
- Viability of contingency plans;

C. Post-Closure Evaluation Statement

A Post-Closure Evaluation statement will be submitted to headquarters' Traffic Operations Program, Office of System Management Operations, on all projects that exceed expected delay or run outside of the closure window. No more than one page is suggested. The functional unit performing the lane closure will prepare the statement within five working days of the date the lane closure exceeded the threshold criteria. The statement should explain:

- The cause and impact of delays;
- Either actions taken or to be taken to avoid or mitigate an occurrence or recurrence;
- Why the expected delay was exceeded and/or why it was necessary to exceed the closure window;
- How the situation can be avoided in the future.

Post-closure evaluation statements are only for closures formally approved by the District LCRC under this process (i.e. exceed the lesser of 30 minutes or the DTM limit).

Response to Comment DOT-1

The County Line Check and Lift Pump is located adjacent to, but outside of the California Department of Transportation (Caltrans) right-of-way fence for State Route 99 (SR 99), is scheduled to be replaced during Phase III of the ABFS Proposed Action. The re-grading of the North Drainage Canal from the V-Drain to SR 99 is no longer a component of the ABFS Proposed Action. All other proposed project features are outside of the Caltrans right of way. Natomas Mutual will include a provision in the Phase III construction contract, which involves the replacement of the County Line Check and Lift Pumps, which will require the contractor to obtain an encroachment permit from Caltrans should the work extend into the Caltrans right-of-way.

Response to Comment DOT-2

Natomas Mutual will include a provision in all construction contracts that will require the contractor to develop a Transportation Management Plan, in consultation with Caltrans, if truck hauling or other project activities will involve the use of any State highways. If the preparation of a plan is required, a copy of the plan will be submitted to Caltrans.

CALIFORNIA STATE LANDS COMMISSION
100 Howe Avenue, Suite 100-South
Sacramento, CA 95825-8202

PAUL D. THAYER, *Executive Officer*
(916) 574-1800 FAX (916) 574-1810
Relay Service From TDD Phone **1-800-735-2929**
from Voice Phone **1-800-735-2922**

Contact Phone: **(916) 574-1814**
Contact FAX: **(916) 574-1885**

April 16, 2008

File Ref: SCH# 2003092006

James Navicky
California Department of Fish and Game
1701 Nimbus Road
Rancho Cordova, CA 95670

Subject: American Basin Fish Screen and Habitat Improvement Project

Dear Mr. Navicky:

The State acquired sovereign ownership of all tidelands and submerged lands and beds of navigable waterways upon its admission to the United States in 1850. The State holds these lands for the benefit of all the people of the State for statewide Public Trust purposes, which include waterborne commerce, navigation, fisheries, water-related recreation, habitat preservation, and open space. The landward boundaries of the State's sovereign interests in areas that are subject to tidal action are generally based upon the ordinary high water marks of these waterways as they last naturally existed. In non-tidal navigable waterways, the State holds a fee ownership in the bed of the waterway between the two ordinary low water marks as they last naturally existed. The entire non-tidal navigable waterway between the ordinary high water marks is subject to the Public Trust Easement. Both the easement and fee-owned lands are under the jurisdiction of the State Lands Commission (Commission). The locations of the ordinary high and low water marks are often related to the last natural conditions of the river, and may not be apparent from a present day site inspection.

SLC-1

To the extent the proposed project involves State-owned sovereign land in the Sacramento River that is subject to the Commission's leasing jurisdiction, a lease may be required. However, section 6327 of the Public Resources Code provides that if a facility is for the "procurement of fresh-water from and construction of drainage facilities into navigable rivers, streams, lakes and bays," and if the applicant obtains a permit from the local reclamation district, State Reclamation Board, the U.S. Army Corps of Engineers, or the Department of Water Resources, then an application shall not be required by the Commission. Since the proposed project appears to fall within this section, you will not need to obtain a lease from the Commission, provided you obtain one of the above-listed permits. Please forward a copy of that permit to the Commission once it has been obtained.

SLC-2

The proposed project lies in an area that is subject to the public navigational easement. This easement provides that members of the public have the right to navigate and exercise the incidences of navigation in a lawful manner on State waters that are capable of being physically navigated by oar or motor-propelled small craft. Such uses may include, but not be limited to, boating, rafting, sailing, rowing, fishing, fowling, bathing, skiing, and other water-related public uses. The proposed project must not restrict or impede the easement right of the public.

This determination is without prejudice to any future assertion of state ownership or public rights, should circumstances change, or should additional information come to our attention. In addition, this letter is not intended, nor should it be constructed as, a waiver or limitation of any right, title or interest of the State of California in any lands under its jurisdiction.

If you have any questions, please contact Diane Jones, Public Land Manager, at (916) 574-1843 or by e-mail at jonesd@slc.ca.gov.

Sincerely,

Gail Newton, Chief
Division of Environmental Planning
and Management

cc: Office of Planning and Research
State Clearinghouse

D. Jones, CSLC

Response to Comment SLC-1

Section 1.7 of Volume I of the Draft EIS/EIR lists the environmental permits and approvals that CDFG, Reclamation, and Natomas Mutual anticipate being required prior to construction of the ABFS Proposed Action. Among those are a permit from the U.S. Army Corps of Engineers under Section 404 of the Clean Water Act and a permit from the California State Reclamation Board (now called the Central Valley Flood Protection Board). The clarification provided by the State Lands Commission (Commission), that a land use lease for this project will not be required if a copy of one of these other permits is provided to them is appreciated. Natomas Mutual will provide a copy of one of these permits to the Commission once it has been obtained.

Response to Comment SLC-2

The commenter is directed to the discussion under *Impact LU-5 Disrupt or reduce access to recreational resources* in the Draft EIS/EIR, beginning on Page 3-300 of Volume I. The text states, in part:

> "There would be a less-than-significant impact under all three phases of the ABFS Proposed Action. Construction of Phases I and II the ABFS Proposed Action would create a temporary disruption for boaters and recreationists during construction of the cofferdams and dewatering of construction areas. However, this construction would not reduce access or obstruct the river in a way that would prevent boaters from traveling along the waterway (for an analysis of project impacts to the viewshed and visual character along the riverbank as viewed by recreationists from the Sacramento River, see Section 3.5: Aesthetics)."
>
> The construction specifications will require the Contractor to notify the Coast Guard prior to the start of construction and to use appropriate signs and warnings. The facilities will also be marked with appropriate signs and warnings in accordance with Coast Guard regulations. The contractor is not required to obtain a permit; however, compliance with Coast Guard regulations is mandatory.

STATE OF CALIFORNIA -- THE RESOURCES AGENCY ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF WATER RESOURCES
1416 NINTH STREET, P.O. BOX 942836
SACRAMENTO, CA 942360001
(916) 653-5791

FISH & GAME REGION 2

08 APR -4 AM 3:07

April 2, 2008

James Navicky
California Department of Fish and Game
1701 Nimbus Road
Rancho Cordova, California 95670

Project Title: American Basin Fish Screen and Habitat Improvement Project
State Clearinghouse (SCH) Number: 2003092006

DWR-1

The project corresponding to the subject SCH identification number has come to our attention. The limited project description suggests your project may be an encroachment on the State Adopted Plan of Flood Control. You may refer to the California Code of Regulations, Title 23 and Designated Floodway maps at http://recbd.ca.gov/. Please be advised that your county office also has copies of the Board's designated floodway for your review. If indeed your project encroaches on an adopted flood control plan, you will need to obtain an encroachment permit from the Central Valley Flood Protection Board prior to initiating any activities. The attached Fact Sheet explains the permitting process. Please note that the permitting process may take as much as 45 to 60 days to process. Also note that a condition of the permit requires securing all of the appropriate additional permits before initiating work. This information is provided so that you may plan accordingly.

If after careful evaluation, it is your assessment that your project is not within the authority of the Flood Board, you may disregard this notice. For further information, please contact me at (916) 574-1249.

Sincerely,

for Christopher Huitt
Staff Environmental Scientist
Floodway Protection Section

Enclosure

Cc: Governor's Office of Planning and Research
State Clearinghouse
1400 Tenth Street, Room 121
Sacramento, California 95814

Encroachment Permits Fact Sheet

Basis for Authority

State law (Water Code Sections 8534, 8608, 8609, and 8710 – 8723) tasks The Central Valley Flood Protection Board ("The Board") with enforcing appropriate standards for the construction, maintenance, and protection of adopted flood control plans. Regulations implementing these directives are found in California Code of Regulations (CCR) Title 23, Division 1.

Area of The Central Valley Flood Protection Board Jurisdiction

The adopted plan of flood control under the jurisdiction and authority of The Board includes the Sacramento and San Joaquin Rivers and their tributaries and distributaries and the designated floodways.

Streams regulated by The Board can be found in Title 23 Section 112. Information on designated floodways can be found on The Board's website at http://www.recbd.ca.gov/maps/index.cfm and CCR Title 23 Sections 101 - 107.

Regulatory Process

The Central Valley Flood Protection Board ensures the integrity of the flood control system through a permit process (Water Code Section 8710). A permit must be obtained prior to initiating any activity, including excavation and construction, removal or planting of landscaping within floodways, levees, and 10 feet landward of the landside levee toes. Additionally, activities located outside of the adopted plan of flood control but which may foreseeable interfere with the functioning or operation of the plan of flood control is also subject to a permit of The Board.

Details regarding the permitting process and the regulations can be found on The Board's website at http://recbd.ca.gov/ under "Frequently Asked Questions" and "Regulations," respectively. The application form and the accompanying environmental questionnaire can be found on The Board's website at http://www.recbd.ca.gov/forms/index.cfm.

Application Review Process

Applications when deemed complete will undergo technical and environmental review by The Board and/or Department of Water Resources staff.

Technical Review

A technical review is conducted of the application to ensure consistency with the regulatory standards designed to ensure the function and structural integrity of the adopted plan of flood control for the protection of public welfare and safety. Standards and permitted uses of designated floodways are found in CCR Title 23 Sections 107 and Article 8 (Sections 111 to 137). The permit contains 12 standard conditions and additional special conditions may be placed on the permit as the situation warrants. Special conditions, for example, may include mitigation for the hydraulic impacts of the project by reducing or eliminating the additional flood risk to third parties that may caused by the project.

Additional information may be requested in support of the technical review of your application pursuant to CCR Title 23 Section 8(b)(4). This information may include but not limited to geotechnical exploration, soil testing, hydraulic or sediment transport studies, and other analyses may be required at any time prior to a determination on the application.

Environmental Review

A determination on an encroachment application is a discretionary action by The Board and its staff and subject to the provisions of the California Environmental Quality Act (CEQA) (Public Resources Code 21000 et seq.). Additional environmental considerations are placed on the issuance of the encroachment permit by Water Code Section 8608 and the corresponding implementing regulations (California Code of Regulations – CCR Title 23 Sections 10 and 16).

In most cases, The Board will be assuming the role of a "responsible agency" within the meaning of CEQA. In these situations, the application must include a certified CEQA document by the "lead agency" [CCR Title 23 Section 8(b)(2)]. We emphasize that such a document must include within its project description and environmental assessment of the activities for which are being considered under the permit.

Encroachment applications will also undergo a review by an interagency Environmental Review Committee (ERC) pursuant to CCR Title 23 Section 10. Review of your application will be facilitated by providing as much additional environmental information as pertinent and available to the applicant at the time of submission of the encroachment application.

These additional documentations may include the following documentation:

- California Department of Fish and Game Streambed Alteration Notification (http://www.dfg.ca.gov/1600/),

- Clean Water Act Section 404 applications, and Rivers and Harbors Section 10 application (US Army Corp of Engineers),

- Clean Water Act Section 401 Water Quality Certification, and

- Corresponding determinations by the respective regulatory agencies to the aforementioned applications, including Biological Opinions, if available at the time of submission of your application.

The submission of this information, if pertinent to your application, will expedite review and prevent overlapping requirements. This information should be made available as a supplement to your application as it becomes available. Transmittal information should reference the application number provided by The Board.

In some limited situations, such as for minor projects, there may be no other agency with approval authority over the project, other than the encroachment permit by The Board. In these limited instances, The Board may choose to serve as the "lead agency" within the meaning of CEQA and in most cases the projects are of such a nature that a categorical or statutory exemption will apply. The Board cannot invest staff resources to prepare complex environmental documentation.

Additional information may be requested in support of the environmental review of your application pursuant to CCR Title 23 Section 8(b)(4). This information may include biological surveys or other environmental surveys and may be required at anytime prior to a determination on the application.

Response to Comment DWR-1

Please see the response to Comment SLC-1.

CHAPTER 5. LIST OF PREPARERS

The following individuals were responsible for preparation of the Final EIS/EIR.

Agency Representatives

United States Department of the Interior, Bureau of Reclamation	
Bradley Hubbard	Project Manager
California Department of Fish and Game	
James Navicky	Environmental Scientist III

Project Proponent

Natomas Central Mutual Water Company	
Dee Swearingen	General Manager
Henry Bass	Project Environmental Manager

Consultant Team

Miriam Green Associates	
Miriam Green	Senior Biologist/Technical Editor
Craig Stevens	NEPA/CEQA Specialist
Mead & Hunt, Inc.	
Stephen Sullivan	Project Engineer
Marieke Armstrong	Environmental Scientist
Mary Marks	Administrative Assistant

APPENDIX A

Transcript of the Public Hearing

BUREAU OF RECLAMATION

PUBLIC HEARING

NOTICE OF AVAILABILITY OF THE DRAFT EIS/EIR ON THE AMERICAN BASIN FISH SCREEN AND HABITAT IMPROVEMENT PROJECT

WEDNESDAY, MARCH 19, 2008

6:00 P.M.

RECLAMATION DISTRICT NO. 1000

1633 GARDEN HIGHWAY

SACRAMENTO, CALIFORNIA

COPY

REPORTED BY:

ESTHER F. SCHWARTZ
CSR NO. 1564

ATTENDEES

BUREAU OF RECLAMATION:

RICHARD J. WOODLEY
BRAD HUBBARD
DONNA POTTER

CALIFORNIA DEPARTMENT OF FISH AND GAME:

JAMES NAVICKY

NATOMAS CENTRAL MUTUAL WATER COMPANY:

DEE SWEARINGEN

INTERESTED PERSONS (NOT PROVIDING ORAL COMMENTS):

STEVE YAEGER
JAMES PACHL
HENRY BASS

---oOo---

WEDNESDAY, MARCH 19, 2008, 6:10 P.M.

SACRAMENTO, CALIFORNIA

---oOo---

HEARING OFFICER WOODLEY: Good evening. I want to welcome everybody to the public hearing on the proposed American Basin Fish Screen and Habitat Improvement Project for the Draft Environmental Impact Statement and Environmental Impact Report. This hearing is being held in accordance with the requirements of the National Environmental Policy Act.

My name is Rick Woodley. I am the Regional Resources Manager for the Bureau of Reclamation's Mid Pacific Region. I will be serving as Hearing Officer, and a Court Reporter will be recording the proceedings. At the table with me is James Navicky, Environmental Scientist with the California Department of Fish and Game. Also sitting in the audience is Dee Swearingen, Manager of the Natomas Central Mutual Water Company.

Today we are accepting verbal and written comments on the Draft EIS/EIR.

Of the participants that are in the audience that have shown up, no one has signed up to speak. So I will not go through the proceedings relative to

the speaker's rules. But individuals are certainly welcome to fill out a comment card, and you could pick one up at the registration desk if you haven't already done so. Written comments can be submitted at this hearing or to the address or E-mail indicated on the comment card. You need to submit your comments by the close of business on Thursday, May 1st, 2008.

Please understand, any written or verbal comments, and verbal comments, receive equal consideration. I will just take a moment here to explain what happens next in this process.

All of the comments will be reviewed, and responses to comments will be prepared. A Final EIS/EIR will be prepared which will include the responses to comments. A Record of Decision will be prepared after consideration of all public comments.

At this point, since we don't have anybody that is wanting to speak, I will go off the record. And if anybody shows up that decides they want to speak, then we will reopen the record and go from there. At this point we will go off the record.

(Hearing in recess.)

H.O. WOODLEY: Go back on record.

We've gone back on record. We had three

individualS show up for tonight's hearing, but none desired to offer any oral comments. It's now 8:00 p.m., and this brings to close this public hearing on the proposed American Basin Fish Screen and Habitat Improvement Project Draft Environmental Impact Statement/Draft Environmental Impact Report, and we can go off record.

(Hearing concluded at 8:05 p.m.)

---oOo---

REPORTER'S CERTIFICATE

STATE OF CALIFORNIA)
) ss.
COUNTY OF SACRAMENTO)

I, ESTHER F. SCHWARTZ, certify that I was the official Court Reporter for the proceedings named herein, and that as such reporter, I reported in verbatim shorthand writing those proceedings;

That I thereafter caused my shorthand writing to be reduced to printed format, and the pages numbered 3 through 5 herein constitute a complete, true and correct record of the proceedings.

IN WITNESS WHEREOF, I have subscribed this certificate at Sacramento, California, on this 20th day of March, 2008.

ESTHER F. SCHWARTZ
CSR NO. 1564